

Chambers.

SPEAKER BARRETT: Senator Chambers.

SENATOR CHAMBERS: Thank you, Senator Morrissey. Mr. Chairman and members of the Legislature, the issue has been now changed. Senator Schimek asked what are we doing here and where are we going? I feel that we're doing the best that we can and we're going till midnight. What else can you say? There is a determination by everybody to see this thing through to the bitter end, and I certainly intend to deliver on the promise that I made. Even with that having been said, the seriousness of the issue has not lessened. If LB 769 were put in place, how much different would it be than the law currently on the books that has been enjoined by the federal court from being enforced? There already is legislation requiring parental notification but it cannot be enforced because the federal District Court in Nebraska said no. Senator Lindsay has another bill, LB 854, which contains a 24-hour waiting period and it amends, I think, 28-327, which had a 48-hour waiting period and that was struck down as unconstitutional. It was unconstitutional because no court to date has seen the value or the state's compelling interest in requiring an arbitrarily established period of time during which nothing of value is going to occur. There is nothing about this waiting period, whether 24 hours or 48 hours, which is going to make the procedure more safe, which is going to bring to the woman more information that she needs. The types of information demanded, as a second part of that LB 854, is of a type that would be ruled unconstitutional because it's aim is to burden the woman's decision and not to bring any enlightenment or the type of knowledge or information necessary to an informed consent to an abortion. So why will bills be brought that practically mirror provisions of law currently on the books in Nebraska that have been enjoined because they're unconstitutional? Why will that be done? Because those who support the legislation, the ones they represent, want to show others the power that they have to compel the Legislature to enact certain provisions even though they have been ruled unconstitutional already. So what we're here for, Senator Schimek, what a majority is here for is to reenact unconstitutional legislation. That's what we're here for and that's why I say I'm seriously interested in seeing the ridiculous nonsensical amendment that Senator Landis and I co-signed, added to this bill. We're in that Barnum and Bailey world which is just as phony as it can be. We go from there